

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

GUARANTEED HOME
MORTGAGE COMPANY, INC.,

Petitioner,

vs.

MIKI GISSELL,

Respondent.

CV 13-44-BLG-CSO

**ORDER DENYING
PETITIONER'S REQUEST
FOR FEES AND COSTS
INCURRED IN RESPONDING
TO RESPONDENT'S MOTION
TO COMPEL**

On October 18, 2013, the Court issued an Order denying Respondent Miki Gissell's motion for an order compelling GHMC to answer some of her requests for admission. *Order (ECF 49)*. The Court further directed Gissell to "file a response to GHMC's requests for fees and costs in responding to [her] motion." *Id. at 21*.

On October 30, 2013, Gissell timely complied with the Court's Order and filed her "brief on why her motion to compel discovery was substantially justified." *ECF 51*. Having considered Gissell's

submission and the overall circumstances of this case, the Court concludes that an award of fees and costs is not appropriate.

Accordingly, IT IS ORDERED that GHMC's request (*ECF 38 at 15*) for fees and costs incurred in responding to Gissell's motion to compel is denied. Gissell's request that her declaration (*ECF 52*) be sealed from the general public is granted. The Clerk of Court has filed the declaration accordingly.

DATED this 5th day of November, 2013.

/s/ Carolyn S. Ostby
United States Magistrate Judge